

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

Lisa Holloway,)
Plaintiff,) Civil Action No. 0:13-1934-RBH-PJG
v.)
Carolyn W. Colvin, Acting,)
Commissioner of Social Security,)
Defendant.)

ORDER

The Defendant, Carolyn W. Colvin, Acting Commissioner of Social Security, by her attorneys, William N. Nettles, United States Attorney for the District of South Carolina, and Marshall Prince, Assistant United States Attorney, has moved this Court, pursuant to 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the cause to the Commissioner for further administrative proceedings.

On order of the Court, this case will be remanded to the Appeals Council. The Appeals Council will direct the ALJ to give Plaintiff the opportunity to submit new evidence and the opportunity for a new hearing. Further, upon remand, the Administrative Law Judge will: (1) consider the new medical evidence related to the relevant period; (2) reevaluate all the medical opinion evidence including the medical opinion from Robert Schwartz, M.D and, if necessary, obtain clarification of the medical opinions and if any portion of the opinion evidence is discounted, the Administrative Law Judge will state the reasons for the discounting the opinion; (3) reevaluate the maximum residual functional capacity and provide appropriate rationale with specific reference to evidence of record in support of the assessed limitations; (4) reevaluate Plaintiff's credibility in accordance with Social Security Ruling 96-7p; and (5) if necessary, obtain supplemental vocational expert testimony regarding Plaintiff's ability to perform past relevant work or, alternatively, work that exists in significant numbers in the national economy

and ensure that the vocational expert testimony does not conflict with the Dictionary of Occupational Titles in accordance with Social Security Ruling 00-4p.

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the Commissioner's request for remand of this action for further proceedings, this Court hereby

REVERSES the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a **REMAND** of the cause to the Commissioner for further administrative proceedings as set out above.¹ *See Shalala v. Schaefer*, 509 U.S. 292 (1993).

AND IT IS SO ORDERED.

s/R. Bryan Harwell
R. Bryan Harwell
United States District Judge

April 10, 2014

Florence, South Carolina.

¹The clerk of the Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.